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Express Mail No.: EV 452 774 449 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#13

Application of: Fleischer and Reimer

Confirmation No.: 8087

Serial No.: 09/701,220

Group Art Unit: 1615

Filed: November 27, 2000

Examiner: Gollamudi S. Kishore

For: PREPARATIONS FOR THE PROMOTION OF  
WOUND HEALING IN THE UPPER RESPIRATORY  
TRACT AND/OR EAR (AS AMENDED)

Attorney Docket No.: 11390-004

**PETITION TO REVIVE AN APPLICATION ABANDONED DUE TO  
UNINTENTIONAL DELAY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

**MAR 09 2005**

**OFFICE OF PETITIONS**

Sir:

Applicants hereby respectfully petition for the above-identified application ("the '220 application") to be revived under 37 C.F.R. § 1.137(b) on the ground that the '220 application was abandoned unintentionally because Applicants failed to respond to an Office Action dated November 26, 2002 within the time set forth therein. Applicants state that the entire delay from the abandonment of the '220 application to the filing of this Petition is unintentional.

Submitted concurrently herewith is: (a) a Reply under 37 C.F.R. § 1.111 with Amendment; (b) a Declaration of Dr. Wolfgang Fleischer under 37 C.F.R. § 1.132; (c) an Amendment Fee Transmittal Sheet; and (d) a Supplemental Information Disclosure Statement with a List of References Cited and a copy of each of the cited references, which are submitted in response to the Office Action dated November 26, 2002.

A fee of \$1,500.00 is believed due for submission of this Petition. Please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is attached for accounting purposes.

03/08/2005 AWONDAF1 00000117 503013 09701220

01 FC:1453 1500.00 DA

If any issues remain, Applicants respectfully request that the undersigned be contacted directly at telephone number (212) 326-3921.

Respectfully submitted,

Date: March 2, 2005

Samuel B. Abrams  
Samuel B. Abrams

30,605  
(Reg. No.)

By: William J. Thomann  
William J. Thomann

40,203  
(Reg. No.)

**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
(212) 901-9028

Enclosures